IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 32175 of 2004(E)

PETITIONER:

N.V. JAYAKUMAR, VELLAPPAKUZHIYL
KATTAMPACK, NEEZHOOR, KOTTAYAM,
NOW WORKING AT ATTENDER PRIMARY HEALTH
CENTRE KATTAMPACK, KOTTAYAM.

BY ADV. SRI.MADATHIL S.ANIL KUMAR
SMT.D.JAMEELA DEVI

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, HEALTH AND FAMILY
WELFARE DEPARATMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF HEALTH SERVICES
DIRECTORATE OF HEALTH SERVICE,
THIRUVANANTHAPURAM.

3. DISTRICT MEDICAL OFFICER (HEALTH)
KOTTAYAM.

BY GOVERNMENT PLEADER SRI.V.T.K.MOHANAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.32175/2004

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE MEDICAL CERTIFICATE DT. 7.11.1998 ISSUED FROM THE MEDICAL COLLEGE HOSPITAL, KOTTAYAM.

EXT.P2 :TRUE COPY OF THE ORDER NO.A3-2243/2004 DT. 24.5.2004 ISSUED BY THE THIRD RESPONDENT.

EXT.P3 : TRUE COPY OF THE ORDER NO.A.225/04/MO CHC A/ DT.14.6.2004 ISSUED BY THE THIRD RESPONDENT.

EXT.P4 : TRUE COPY OF ORDER NO.A3/2243/2004/DMOHK DT. 26.10.2004 ISSUED BY THE THIRD RESPONDENT.

TGS

KURIAN JOSEPH J.

W.P.(C) No.32175 of 2004

Dated 17th August, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by Ext.P4 order of transfer made on administrative ground, transferring the petitioner from Kattampak to Arunootimangalam. According to the petitioner, he being a handicapped person, he is entitled to have special consideration. Since the transfer made on administrative ground is for the year 2004, the matter certainly requires reconsideration in view of the present circumstances. I quash Ext.P4, without prejudice to the liberty to the competent authority to pass fresh orders, if necessary, taking note of the present circumstances.

The writ petition is allowed as above.

KURIAN JOSEPH, JUDGE.

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